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ORIGINALLY FILED

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/036,487	01/07/2002	Spiros Fotinos	366325-509

25561  
ALLEN BLOOM  
C/O DECHERT  
PRINCETON PIKE CORPORATION CENTER  
P.O. BOX 5218  
PRINCETON, NJ 08543-5218



CONFIRMATION NO. 3570

## FORMALITIES LETTER



\*OC00000007399828\*

Date Mailed: 01/31/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

03/07/2002 BABRAHA1 00000052 10036487

FILED UNDER 37 CFR 1.53(b)

01 FC:101	740.00 DP
02 FC:105	130.00 DP
03 FC:103	54.00 DP
04 FC:102	84.00 DP

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$138.
  - \$54 for 3 total claims over 20.
  - \$84 for 1 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1008.

---

*A copy of this notice **MUST** be returned with the reply.*

Selam

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

sector 1/13

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of  
Fotinos, et al.  
Serial No.: 10/036,487  
Filed: January 7, 2002  
For: Devices for Local and Systemic  
Delivery of Active Substances and  
Methods of Manufacturing Thereof



: Group Art Unit: 1615  
: Examiner: Unknown  
:  
:  
:  
:  
:

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

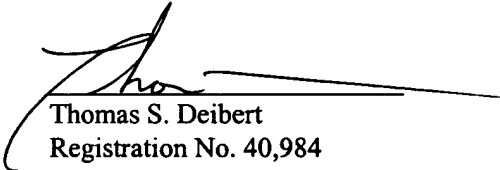
**RESPONSE TO NOTICE TO FILE MISSING PARTS OF  
NON-PROVISIONAL APPLICATION**

Sir:

This in response to the communication from the Patent Office entitled "Notice to File Missing Parts of Non-Provisional Application", mailed January 31, 2002. A duplicate copy of the Notice to File Missing Parts is enclosed.

The notice indicates that the statutory basic filing fee was not paid and the oath or declaration is missing. The executed Declaration and Power of Attorney is enclosed herewith. Also enclosed is check #1004904 in the amount of \$1,008.00 which represents payment of the basic filing fee, three (3) additional claims over 20, one (1) independent claim over 3 and the late filing fee of oath or declaration surcharge. Any overpayment or refund should also be credited to Deposit Account No. 04-0480.

Respectfully submitted,

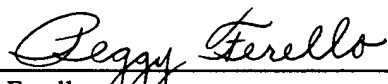
  
Thomas S. Deibert  
Registration No. 40,984  
Attorney for Applicants

DECHERT PRICE & RHOADS  
Princeton Pike Corporate Center  
PO Box 5218  
Princeton, NJ 08543-5218  
Fax: 609.620.3259  
Attn: Thomas S. Deibert, Esq.  
609.620.3231

Docket No. 366325-509  
Serial No. 10/036,487

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited on February 19, 2002, with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231.

  
\_\_\_\_\_  
Peggy Ferello



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Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

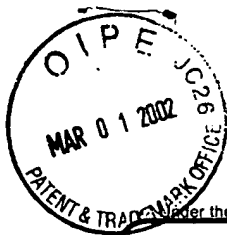
<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/036,487
	Filing Date	January 7, 2002
	First Named Inventor	Fotinos
	Group Art Unit	1615
	Examiner Name	Unknown
Total Number of Pages in This Submission	Attorney Docket Number	366325-509

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Declaration and Power of Attorney
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Check No. 1004904 for \$1,008.00
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	Acknowledgment Postcard
<input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Thomas S. Deibert
Signature	
Date	February 19, 2002

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 02/19/2002	
Typed or printed name	Peggy Ferello
Signature	
Date	February 19, 2002

Burden Hour Statement: This form is estimated to take 15 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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PTO/SB/17 (11-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL**  
**for FY 2002**

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ ) 1,008.00**Complete if Known**

Application Number	10/036,487
Filing Date	January 7, 2002
First Named Inventor	Fotinos
Examiner Name	Unknown
Group Art Unit	1615
Attorney Docket No.	366325-509

**METHOD OF PAYMENT (check all that apply)**

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:  
Deposit Account Number: 04-0480  
Deposit Account Name:

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	740.00
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

**SUBTOTAL (1)** (\$ ) 740.00**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Extra Claims Fee from below Fee Paid

Total Claims 23 - 20\*\* = 3 x 18 = 54.00

Independent Claims 4 - 3\*\* = 1 x 84 = 84.00

Multiple Dependent ☐ = ☐

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** (\$ ) 138.00

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ ) 130.00**SUBMITTED BY**

Name (Print/Type)	Thomas S. Deibert	Registration No. (Attorney/Agent)	40,984	Telephone	(609) 620-3231
Signature		Date	Feb 19, 2002		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.